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Proposed programme budget for the biennium 2006-2007*

Part III
International justice and law

Section 7
International Court of Justice

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* A summary of the approved programme budget will subsequently be issued as *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6* (A/60/6/Add.1).

05-32024 (E) 120505

Overview

7.1 Regulation 2.14 of the Financial Regulations and Rules of the United Nations provides that the programme budget proposals of the International Court of Justice should be prepared by the Court, in consultation with the Secretary-General, and that those proposals should be submitted to the General Assembly by the Secretary-General, together with such observations as he may deem desirable. The proposals of the Court are hereby submitted. The Court's proposals for the biennium 2006-2007 are fully supported by the Secretary-General.

7.2 The International Court of Justice, composed of 15 judges elected by the General Assembly and the Security Council, is one of six principal organs of the United Nations and is the principal judicial organ of the Organization. It functions in accordance with its Statute, which is an integral part of the Charter of the United Nations. The Court decides, in accordance with international law, disputes submitted to it by States, and it may give advisory opinions on any legal question at the request of bodies authorized to make such a request by the Charter or in accordance with its provisions. A total of 191 States are parties to the Statute of the Court, and 65 of them have recognized the Court's jurisdiction as compulsory, in accordance with Article 36, paragraph 2, of its Statute. In addition, more than 300 bilateral and multilateral treaties grant the Court jurisdiction in the resolution of disputes arising from their application or interpretation. The Court submits annual reports to the General Assembly, the most recent of which is contained in document A/59/4.

7.3 Neither the activities of the Court nor those of the Registry are covered in the biennial programme plan and priorities for the period 2006-2007. The Court must at all times be able to exercise the functions entrusted to it if the terms and intent of the Charter are to be respected. The Court notes that, although it is inherently impossible to forecast its main workload indicators (e.g., the number of cases that will be pending before the Court in 2006-2007 and the number of new proceedings that will be instituted, including incidental proceedings in pending cases), efforts have been made to assess its requirements for the biennium 2006-2007 against the background of the Court's workload for previous bienniums and the current one.

7.4 An assessment of estimated requirements of the International Court of Justice for the biennium 2006-2007 needs to be measured against the background and complexity of its workload. At the time of the 2006-2007 budget submission, the Court was seized of 21 cases submitted from around the world, with varied subject matter. In several of these cases, the submission of preliminary objections will lead to two separate sets of proceedings, each involving the submission of written pleadings and the holding of oral hearings leading to separate judgments, thereby further affecting the Court's caseload. The number of pleadings could also increase as a result of the raising of counterclaims by a respondent or the intervention of a State in a pending case. In addition to addressing the cases on its docket, the Court must be prepared to examine, with priority over other matters, all requests it receives for the indication of provisional measures.

7.5 In compliance with the recommendation of the Advisory Committee on Administrative and Budgetary Questions in its first report on the proposed programme budget for the biennium 2004-2005 (A/58/7 and Corr.1), elements of results-based budgeting have been introduced in the current proposals for non-judicial functions of the Registry. In the same report, the Advisory Committee also requested a comprehensive expert study on how to streamline and modernize the proceedings and workflow processes of the Court, including an examination of how this could be accomplished by using information and communication technology. A synopsis of the study conducted by a consultant in response to that request is included in table 7.8.

7.6 The overall level of resources requested for the International Court of Justice for the biennium 2006-2007 amounts to $35,364,600 before recosting, reflecting growth of $428,600 (1.2 per cent). The growth reflects the effect of the delayed impact of the two new General Service (Other level)

posts approved for the biennium 2004-2005 in General Assembly resolution 58/295 in connection with the first phase of the strengthening of security and safety, and an increase due to the proposed establishment of two new posts (1 P-4 to head the Computerization Division and 1 P-3 for a Legal Officer for the Office of the President of the Court) in the biennium 2006-2007, partially offset by a reduction in non-post objects of expenditure. In addition, it is proposed that two temporary General Service (Other level) posts be converted to established posts in the biennium 2006-2007. No additional requirements would result from this conversion.

7.7 The percentage distribution of resources under this section is as shown in table 7.1

Table 7.1 **Percentage distribution of resources by component**

Component	*Regular budget*
A. Members of the Court	23.9
B. Registry	61.4
C. Programme support	14.7
Total	**100.0**

7.8 The distribution of resources is summarized in table 7.2, and post requirements are set out in table 7.3.

Table 7.2 **Resource requirements by component**

(Thousands of United States dollars)

Regular budget

Component	*2002-2003 expenditure*	*2004-2005 appropriation*	*Resource growth*		*Total before recosting*	*Recosting*	*2006-2007 estimate*
			Amount	*Percentage*			
A. Members of the Court	9 162.5	8 291.1	163.6	2.0	8 454.7	55.8	8 510.5
B. Registry	14 658.6	21 365.5	359.2	1.7	21 724.7	1 462.7	23 187.4
C. Common services	4 278.9	5 279.4	(94.2)	(1.8)	5 185.2	79.2	5 264.4
Total	**28 100.0**	**34 936.0**	**428.6**	**1.2**	**35 364.6**	**1 597.7**	**36 962.3**

Regular budget resource requirements by component

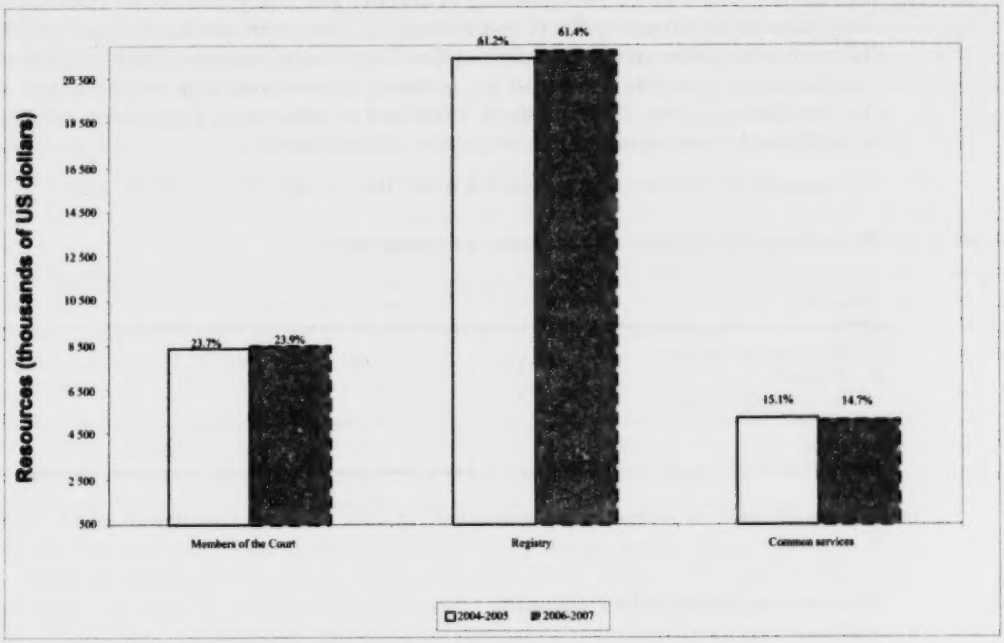


Table 7.3 **Post requirements**

Category	*Established regular budget posts*		*Temporary posts*				*Total*	
			Regular budget		*Extrabudgetary*			
	2004-2005	*2006-2007*	*2004-2005*	*2006-2007*	*2004-2005*	*2006-2007*	*2004-2005*	*2006-2007*
Professional and above								
ASG	1	1	—	—	—	—	1	1
D-2	1	1	—	—	—	—	1	1
D-1	1	1	—	—	—	—	1	1
P-5	3	3	—	—	—	—	3	3
P-4/3	17	19	12	12	—	—	29	31
P-2/1	10	10	—	—	—	—	10	10
Subtotal	**33**	**35**	**12**	**12**	**—**	**—**	**45**	**47**
General Service								
Principal level	6	6	—	—	—	—	6	6
Other level	45	47	2	—	—	—	47	47
Subtotal	**51**	**53**	**2**	**—**	**—**	**—**	**53**	**53**
Total	**84**	**88**	**14**	**12**	**—**	**—**	**98**	**100**

A. Members of the Court

Resource requirements (before recosting): $8,454,700

7.9 The conditions of service and compensation of members of the Court are subject to review by the General Assembly every three years. Additional requirements resulting from decisions of the Assembly in connection with the review of conditions of service and compensation during the first part of its resumed fifty-ninth session will be reflected in the context of the recosting prior to its adoption of the proposed programme budget for the biennium 2006-2007 at its sixtieth session.

7.10 In its resolution 56/285, the Assembly approved the emoluments ($160,000 per year), pensions and other conditions of service of members of the International Court of Justice (including the allowance of $15,000 per year for the President of the Court and $94 per day, up to $9,400 per year, for the Vice-President when acting as President). In accordance with the provisions of section IV of General Assembly resolution 59/276, a provision of $400,000 is included to accommodate the recurring requirements for ad hoc judges. This provision will be supplemented, as the need arises, by commitments entered into under the provisions of the resolution on unforeseen and extraordinary expenses to be adopted by the Assembly at its sixtieth session.

Table 7.4 Resource requirements

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Non-post	8 291.1	8 454.7	—	—
Total	**8 291.1**	**8 454.7**	**—**	**—**

B. Registry

Resource requirements (before recosting): $21,724,700

7.11 Since the Court is both a judicial body and an international institution, its Registry must provide judicial support and also act as an international secretariat. The Registry provides legal, diplomatic, linguistic and other technical support for the Court. It is responsible for administration, conference services, computerization, archives, distribution and documentary and library services, and is also the regular channel for communications to and from the Court. The Registrar and Deputy Registrar are elected for a term of seven years and may be re-elected. The staff of the Registry is appointed by the Court in accordance with Article 21, paragraph 2, of its Statute.

Table 7.5 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To serve the needs of the Court in an efficient and effective manner.

Expected accomplishments of the Registry	Indicators of achievement
(a) Timely issuance of reports	(a) Percentage of reports/publications issued within established deadlines *Performance measures*: 2002-2003: 85 per cent Estimate 2004-2005: 90 per cent Target 2006-2007: 95 per cent
(b) Increased public awareness and understanding of the work of the Court	(b) (i) Increased number of visitors to the Court's website *Performance measures*: 2002-2003: 1,080,000 Estimate 2004-2005: 1,700,000 Target 2006-2007: 2,000,000 (ii) Increased number of requests for information *Performance measures*: 2002-2003: 50,630 Estimate 2004-2005: 52,000 Target 2006-2007: 52,400
(c) Strengthened staff/management relations	(c) Increased percentage of staff appraised under the Performance Appraisal System *Performance measures*: 2002-2003: 0 Estimate 2004-2005: 80 per cent Target 2006-2007: 95 per cent
(d) Improved availability and access to Registry records	(d) Increased number of records available for use *Performance measures*: 2002-2003: 105,420 pages Estimate 2004-2005: 60,200 pages Target 2006-2007: 102,900 pages

Outputs

7.12 The following outputs will be delivered during the biennium 2006-2007:

(a) Annual reports of the Court to the General Assembly: reports for 2005-2006 (A/61/4) and 2006-2007 (A/62/4);

(b) *ICJ Yearbooks*: manuscripts, in the two official languages of the Court, of the *Yearbooks* for 2005-2006 (No. 60) and 2006-2007 (No. 61);

(c) Summaries of decisions: summaries of judgments and advisory opinions of the Court, as well as of certain important orders, intended for the legal/academic community;

(d) Website of the Court: development of a new website using dynamic technology; data transfer from the present site to the new one; creation of website content, including new sections (e.g., photo gallery);

(e) Press releases: press releases concerning the Court's activities to the local, national and international press;

(f) Information material: fact sheets (approximately 10-15); creation of press kit and flyer on the Court;

(g) Public sittings: organization of the Court's public sittings and liaison with the parties during those sittings;

(h) Visits: organization of visits of Heads of States and of members of Government; reception of a great number of diplomatic, legal and academic visitors, students and journalists, individually or in groups; tours for visitors of judges;

(i) Protocol activities: contacts with the authorities of the host Government and with international organizations (especially in the Peace Palace and elsewhere in The Hague) concerning events attended by members of the Court and the Registrar, as well as other matters in the field of relations with the host country;

(j) Sixtieth anniversary of the Court: organization of a solemn sitting (in April 2006) and other activities such as conferences, as well as possibly a publication;

(k) Applications, special agreements, requests, written pleadings and verbatim records of oral proceedings, records of private meetings of the Court, judgments, advisory opinions, orders, the Court's regular publications;

(l) Electronic archiving: scanning and indexing records of the Court.

Table 7.6 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Post	19 353.4	19 813.0	98	100
Non-post	2 012.1	1 911.7	—	—
Total	**21 365.5**	**21 724.7**	**98**	**100**

7.13 Resources in the Registry will be augmented by the addition of two new posts (1 P-4 and 1 P-3). The P-4 post will strengthen the computerization operations, particularly addressing the lack of strategic planning and direction capacity, which is one of the immediate concerns identified in the comprehensive study requested by the Advisory Committee in the context of the proposed programme budget for 2004-2005. The proposed P-3 post relates to a Legal Officer with adequate qualifications and experience to support the Office of the President of the Court. The new post resources are sought so as to enable the Registry to increase its capacity to support the increased workload of the Court. In addition, it is proposed that two General Service (Other level) temporary posts be converted to established status because of the continuing nature of the functions. The incumbents of these two posts perform all clerical and administrative support functions in the Department of Linguistic Matters and the Department of Press and Information Matters, respectively. The reduction in non-post resources relates largely to the reduction in general temporary assistance owing to reduced requirements.

C. Programme support

Resource requirements (before recosting): $5,185,200

7.14 The provision under programme support relates to the common service requirements of the International Court of Justice and its Registry, including, in particular, the contribution of the United Nations to the Carnegie Foundation for use of the Peace Palace. It also covers the cost of the publications of the Court, the acquisition of supplies and equipment and general operating expenses.

Table 7.7 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Non-post	5 279.4	5 185.2	—	—
Total	**5 279.4**	**5 185.2**	**—**	**—**

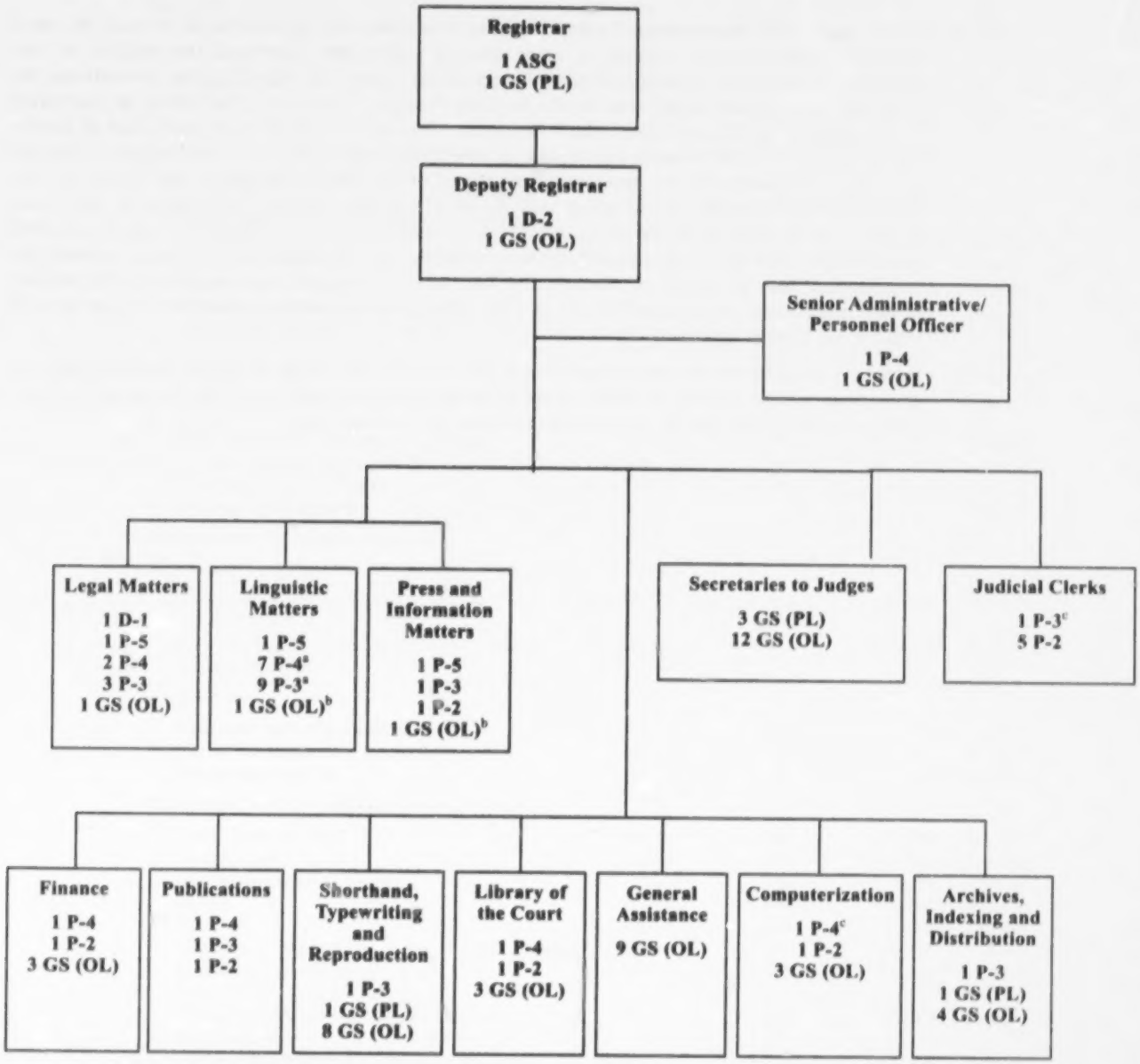
7.15 Resources under programme support will be realigned by reducing provisions for general operating expenses and furniture and equipment on the basis of expenditure pattern; the reduction will be partially offset by increased requirements for contractual services and supplies and materials. The increased requirements relate to the Court's operating needs, particularly in external translation and printing and data-processing services.

Table 7.8 **Summary of follow-up action taken to implement relevant recommendations of the oversight bodies**

Brief description of the recommendation	*Action taken to implement the recommendation*
Advisory Committee on Administrative and Budgetary Questions (A/58/7, chap. II)	
The Committee recommends that, in addition to current methods of translation, remote translation be utilized where feasible (para. III.19).	The Court recently attempted on a major occasion to implement remote translation and contacted relevant offices within the United Nations Secretariat. Unfortunately, none of those offices was able to grant this request for assistance, citing various reasons, notably scarcity of resources and heavy pre-existing demands.
The Advisory Committee reiterates its request for a comprehensive expert study on how to modernize the proceedings and workflow processes of the Court. The study should examine how the management of the Court, its administrative procedures and practices and workflow could be further streamlined using appropriate modern management information systems. The workflow processes study should cover information and communication technology, conference services, interpretation, translation, publication, printing and distribution (para. III.23).	The requested study was recently completed by a consultancy firm. It has identified a number of key workflow elements that are critical to the flow of information through the Court and that will require both urgent changes in the way information is managed and an upgrading of existing staff to deal with the new or expanding systems that will be required by the Court. The consultant's study identified the following issues as immediate concerns: (a) There is a significant risk that neither the existing programme of work nor the potential work arising from the study will be completed in a timely manner without an adequate number of appropriately skilled support staff; (b) With the amount of work the Information Technology Division is required to achieve, there is concern that without proper direction, resources and expertise it will not achieve the Court's required outcomes and goals. Resource and logistical options, including outsourcing some elements of the work plan, need to be considered; (c) Immediate steps should be taken (once additional staff have been employed) to establish and review a short-term operational plan, to be followed by a mid-term and long-term strategic plan;

Brief description of the recommendation	*Action taken to implement the recommendation*
	(d) The development of a workflow map should be completed and finalized, clearly identifying the systems and information required by the Department of Legal Matters; (e) Because of the constant need for and importance of the performance of the duties of the administrative assistant position in the Department of Linguistic Matters, the position should be made permanent and the grade of the position should be reviewed for appropriateness; (f) The Department of Press and Information Matters should be strengthened to support the broad range of tasks in the dissemination of print, broadcast and other materials in the development of the new dynamic website of the Court and in the daily management and supervision of the website content; (g) Because of the freeze in recruitment, a vacant General Service post in the Archives, Indexing and Distribution Division has caused a delay in the scanning and indexing of documents, making retrieval and consultation difficult; (h) Resource and process issues in the Archives, Indexing and Distribution Division should be addressed in the short to medium term; a refocusing of the Division to complete electronic management of the archives records is essential.

International Court of Justice
Organizational structure and post distribution for the biennium 2006-2007



[a] Includes 3 P-4 and 9 P-3 temporary posts.
[b] Converted from temporary posts.
[c] New posts.

Annex

Workload indicators, 2006-2007

A.7.1 In the case of the International Court of Justice, it is inherently impossible to forecast the main workload indicators (the number of cases pending before the Court and the number of new proceedings instituted, including incidental proceedings in pending cases). Unlike, for instance, the International Tribunals established by the Security Council, where new proceedings are instituted by an organ of the Tribunal itself (the Office of the Prosecutor), the International Court of Justice has no control over the number and timing of new proceedings. New cases are brought before the Court by States, and advisory opinions are requested of the Court by organs of the United Nations and specialized agencies, all of which may do so at any time, without prior notice to the Court. When a case is pending before the Court, it is not possible to foresee whether and when incidental proceedings (requests for provisional measures, preliminary objections, counterclaims, requests for intervention) may be instituted. Historically, there have been significant variations in the number of new proceedings commenced in a given year, although in recent times there has been an upward trend in the Court's caseload.

A.7.2 In terms of workload, the institution of new proceedings (including incidental proceedings) in a given year usually requires the deployment of resources over several years. The workload in 2006-2007 will thus be affected by proceedings instituted in previous years.

Table A.7.1 Workload indicators

Description	*2002-2003*	*2004-2005 (estimate)*	*2006-2007 (estimate)*	*Unit*
Department of Legal Affairs				
Cases pending	22	21 (as of December 2004)	Unforeseeable[a]	Number
New proceedings instituted (including incidental proceedings)	7	Unforeseeable[b]	Unforeseeable[b]	Number
Judgments, advisory opinions and substantive orders (in particular on incidental proceedings)	9	12	Unforeseeable[b]	Number
Cases disposed of	8	Unforeseeable[b]	Unforeseeable[b]	Number
Procedural orders	26	26	26	Number
Case-related letters received	1 078	1 820[c]	1 900[c]	Number
Case-related letters prepared	1 796	2 020[c]	2 100[c]	Number
Case-related distributions prepared	497	960[c]	1 000[c]	Number
Provisional verbatim records of Court meetings prepared	148	190	200	Number
Provisional verbatim records (number of pages)	700	890	900	Pages
Rules Committee distributions prepared	38	40	42	Number
Research memorandums and papers	200	240	250	Number
Speeches of the President	30	31	32	Number
Indexes to *ICJ Reports*	2	2	2	Number
Department of Linguistic Matters				
Translation				
Documents directly related to the Court's judicial activities	10 864 195	11 200 000	11 324 500	Words
Documents not directly related to the Court's judicial activities	1 234 472	1 194 312	1 200 000	Words
Interpretation				
Public sittings of the Court	84	110	110	Number
Private meetings of the Court	132	127	140	Number
Committee meetings	42	35	40	Number
Department of Press and Information Matters				
Publications prepared	1 950	2 000	2 500	Pages
Press releases	160	180	180	Number
Internal distributions prepared		150	150	Number
Letters	215	200	200	Number
Faxes	390	400	400	Number
Telephone queries and document requests	32 650	34 000	34 200	Number
Queries/document requests by e-mail	17 980	18 000	18 200	Number
Official visits (Heads of State)	4	5	5	Number
Visiting groups (universities, law societies, diplomats, etc.)	201	220	200	Number
Visitors (universities, law societies, diplomats, etc.)	5 286	5 300	5 400	Number
Archives, Indexing and Distribution Division				
Electronic archiving of documents				
– Case files	48 361	31 500[d]	45 700	Pages
– Administrative files	41 919	19 200[d]	33 400	Pages

Description	*2002-2003*	*2004-2005 (estimate)*	*2006-2007 (estimate)*	*Unit*
– Chronological files	15 140	9 500[d]	23 800	Pages
– Pleadings	37 061	48 400[d]	62 650	Pages
– Other document (Permanent Court of International Justice and International Court of Justice)	105 728	32 000	110 600	Pages
Number of documents distributed	1 272	1 500	1 500	Number
Outgoing mail (including case-related mail)	8 574	8 600	8 800	Number
Incoming mail (including case-related mail)	6 262	6 300	7 500	Number
Typing Pool				
(includes transcriptions, corrections, text-processing, shorthand and proofreading)				
Documents directly related to the Court's judicial activities (written pleadings, verbatim records, distributions related to cases, notes, amendments, judgments/advisory opinions/orders, judges' opinions	36 658	45 500	49 000	Pages
Documents not directly related to the Court's judicial activities (general distributions, speeches of the President, private meetings of the Court, reports of the Court)	1 321	3 100	3 200	Pages
Letters	2 135	2 500	2 600	Number
Reproduction				
Reproduction requests	5 353 091	7 000 000	7 300 000	Pages
Library and Documents Department				
Collection books maintained	49 798	51 292	52 900	Number
Total information requests	10 230	11 250	11 300	Number
New acquisitions (orders)	800	1 040	1 040	Number
Finance Division				
Payroll				
– Established and biennial posts	91	98	100	Number
– Freelance interpreters	74	75	80	Number
– Freelance translators	45	45	50	Number
Personnel contracts pre-audited	402	250	250	Number
Ad hoc judges	28	26	Unforeseeable[e]	Individuals
Invoices processed	1 724	1 450	1 800	Number
Purchase orders	106	120	130	Number
Travel claims processed	172	180	190	Number
Computerization Division				
Workstations/personal computers installed and serviced	135	140	160	Number
Servers installed and serviced	7	5	10	Number
Network systems	3	2	2	Number
Websites (including mirrors)	5	5	6	Number
Visitors to the website	1 080 000	1 700 000	2 000 000	Number
Publications Division				
Applications	560	2 240[e,f]	Unforeseeable[e]	Pages
Decisions of the Court (judgments, orders)	3 150	3 950	2 580[e]	Pages
Indexes	172	200	300	Pages
Bound volumes (collation and printing)	4 980	2 818	4 140	Pages
Volumes of the Pleadings Series	2 500	8 334	7 200	Pages

Description	*2002-2003*	*2004-2005 (estimate)*	*2006-2007 (estimate)*	*Unit*
Annuaires	824	780	820	Pages
Yearbooks	784	780	800	Pages
Bibliographies	404	—	400	Pages
List of members of the Court	16	12	24	Pages
Acts and documents of the Court (bilingual)	—	300	—	Pages
Handbook (English and French)	—	500	—	Pages
Catalogues (English and French)	500	116	—	Pages
Addenda to catalogues	—	—	16	Pages
Illustrated book on the Court (English and French)	—	—	800	Pages
Personnel Division				
Staffing table (established and biennial posts)	—	84	98	Posts
Contracts (personnel)	—	250	250	Number
Recruitment (processing of curricula vitae)	—	500	500	Number
Personnel actions (dependency and education grant claims, family status, rental subsidy, home leave actions, etc.)	—	560	560	Number
Letters (insurance, United Nations Joint Staff Pension Fund, acknowledgements)	—	600	600	Number
Processing of leave request and reports	—	2 800	2 800	Number

[a] See para. A.7.1 above. It is impossible to foresee what other cases might be filed during this period.

[b] See para. A.7.1 above. It is difficult to make a credible forecast.

[c] These figures could increase considerably as a result of the institution of new proceedings. See para. A.7.1 above.

[d] Electronic archiving has been slowed down by the resignation in May 2004 of a General Service staff member who was jointly responsible for this activity, and the freeze on recruitment of General Service staff has prevented the Court from recruiting for this vacancy.

[e] See para. A.7.1 above.

[f] Including annexes.

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Proposed programme budget for the biennium 2006-2007*

Part III
International justice and law

Section 8
Legal affairs

(Programme 6 of the biennial programme plan and priorities for the period 2006-2007)**

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* A summary of the approved programme budget will subsequently be issued as *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6* (A/60/6/Add.1).

** *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 6* (A/59/6/Rev.1).

05-30130 (E) 090505

Overview

8.1 The Office of Legal Affairs is responsible for the implementation of the work programme under this section. The programme is guided by the General Assembly and its subsidiary organs, namely the International Law Commission and the United Nations Commission on International Trade Law (UNCITRAL). Guidance is also given by the Meeting of States Parties to the United Nations Convention on the Law of the Sea.

8.2 The activities for which the Office of Legal Affairs is responsible fall within programme 6, Legal affairs, of the biennial programme plan for the period 2006-2007.

8.3 The guideline for the 2006-2007 programme budget continues to be that the Organization should rationalize and streamline its work and ensure that resources and activities are in line with the strategic vision contained in the Millennium Declaration (see General Assembly resolution 55/2). The Office of Legal Affairs has borne this in mind during the development of its proposals.

8.4 As was stated in respect of the biennium 2004-2005, it is important to recall that the Office of Legal Affairs was subjected to in-depth evaluations in 2001 and 2002. The Office of Internal Oversight Services made the following conclusion in its report of 9 April 2002 covering subprogrammes 1-3, 5 and 6:

> "In providing a unified central legal service for the Secretariat and organs of the United Nations, the overall performance of OLA has been competent, and in some instances exemplary. OLA has effectively sustained the evolution of legal arrangements related to peacekeeping, taken necessary measures to assist the international tribunals and supported the developments and the adoption of a number of important instruments in international public and trade law. In well-defined areas of the United Nations legal framework, such as constitutional or procedural matters, the advice provided by OLA was authoritative and solution-oriented" (E/AC.51/2002/5, para. 78).

8.5 Subprogramme 4 was subsequently the subject of in-depth evaluation. In its report of 2 April 2003, the Office of Internal Oversight Services concluded that:

> "Since its establishment in 1992, the Division of Ocean Affairs and the Law of the Sea has discharged effectively the responsibilities of the Secretary-General under the United Nations Convention on the Law of the Sea. In particular, administrative support provided by the Division to treaty institutions has been useful and cost-effective and its technical support to the Commission on the Limits of the Continental Shelf has facilitated the work of the Commission. Its servicing of the General Assembly and its Consultative Process during their annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs has satisfied the users of the services. The comprehensive annual report prepared by the Division plays a critical role in the General Assembly's annual review" (E/AC.51/2003/31, para. 50).

8.6 The budget proposals reflect a comprehensive internal review of all subprogrammes, bearing in mind, inter alia, the requirements of regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation. The conclusion is that the subprogrammes should continue as foreseen in the biennial programme plan for the period 2006-2007. This conclusion is based, in particular, on the findings by the Office of Internal Oversight Services during the in-depth evaluations, on further guidance received from the General Assembly, as well as on feedback from other entities with which the Office of Legal Affairs interacts. A recurring feature in the budget proposal for the biennium 2006-2007 is the enhanced use of information technology. Resources are being requested in order to provide for the continuation of efforts to digitize the information in the

legal archives, including records stored in the Organization's archives. These efforts will continue to be carried out in consultation with the Information Technology Services Division, Office of Central Support Services, and will be consistent with the Organization's information and communication technology strategy.

8.7 The Office carries out its activities in cooperation with other departments and offices of the Secretariat, entities of the United Nations system and entities external to the United Nations, including treaty organizations, intergovernmental, interregional, regional and national organizations, non-governmental organizations, and academic communities. Such collaboration and cooperation include the following:

(a) Coordination of interdepartmental activities and liaison with United Nations organs dealing with legal matters, offices established away from Headquarters and legal advisers or liaison officers assigned to field missions or other Secretariat units;

(b) Representation at and convening of meetings with legal advisers of the United Nations system, and cooperation/coordination of institutional arrangements for the specialized agencies and related organizations on matters of common concern;

(c) Representation of the Secretary-General and the Legal Counsel at meetings and conferences convened by the United Nations or sponsored by Governments, intergovernmental organizations and other international institutions.

8.8 The main expected accomplishments and indicators of achievement for the Office of Legal Affairs in the biennium 2006-2007 are detailed, together with required resources, under the programme of work. The overall framework of these expected accomplishments and indicators of achievement is shown in table 8.1.

Table 8.1 **Framework of expected accomplishments and indicators of achievement by component**

Component	*Number of expected accomplishments*	*Number of indicators of achievement*
A. Policymaking organs	—	—
B. Programme of work		
1. Overall direction, management and coordination of legal advice and services to the United Nations as a whole	1	2
2. General legal services to United Nations organs and programmes	2	3
3. Progressive development and codification of international law	2	5
4. Law of the sea and ocean affairs	3	5
5. Progressive harmonization, modernization, and unification of the law of international trade	3	6
6. Custody, registration and publication of treaties	4	5
C. Programme support	—	—
Total	**15**	**26**

8.9 The issue of publications as part of the programme of work has been reviewed in the context of each subprogramme. It is anticipated that recurrent and non-recurrent publications will be issued as shown below in summary and as distributed in the output information for each subprogramme.

Table 8.2 **Summary of publications**

Publications	*2002-2003 actual*	*2004-2005 estimate*	*2006-2007 estimate*
Recurrent	175	199	216
Non-recurrent	9	21	15
Total	**184**	**220**	**231**

8.10 With respect to subprogramme 1, there is no increase in resource levels as the Office of the Legal Counsel continues to provide legal advice for the principal organs of the United Nations and to oversee its efforts to computerize the legal archive.

8.11 Subprogramme 2 is managed by the General Legal Division, which provides general legal services and support to United Nations organs and programmes. The Division seeks to provide timely and effective legal advice, assistance and services to units of the Organization (e.g., Headquarters, regional commissions and other United Nations offices away from Headquarters, and peacekeeping and other missions) and of the separately funded subsidiary organs of the United Nations in order to protect the legal interests of the Organization and to prevent or minimize legal liabilities arising from the activities and operation of the Organization. During the biennium 2006-2007, the Division will continue to meet the demands throughout the Organization for legal advice, services and support with essentially the same resources as those made available for the biennium 2004-2005. However, pursuant to the recommendation of the Office of Internal Oversight Services and as endorsed by the General Assembly, a new P-2 post is proposed to support this subprogramme.

8.12 With respect to subprogramme 3, a small decrease of $11,400 is proposed due to a reduction in external printing and progress in the conversion of publications into electronic versions. The Codification Division continues to provide assistance to a number of bodies involved in the progressive development of international law and its codification, to manage the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and to prepare several major recurrent and other legal publications. The Division will also aim at phased implementation of the computerization of these publications as part of the information management project.

8.13 For subprogramme 4, implemented by the Division for Ocean Affairs and the Law of the Sea, an increase of $26,500 is proposed, mainly for the replacement of office automation equipment. During the biennium 2006-2007, increased activities in terms of assistance requested by coastal States are expected in connection with the approaching deadline for the presentation of their submissions to the Commission on the Limits of the Continental Shelf, as well as with respect to identifying issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. Furthermore, the Division will be responding to requirements for additional servicing and follow-up of the consultative process on oceans and the law of the sea, particularly in view of the enhanced cooperation with funds, programmes and agencies of the United Nations system, and with respect to the expanded agenda of the Meeting of States Parties to the United Nations Convention on the Law of the Sea. In addition, the Division will service the Review Conference for the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. In response to the request from the General Assembly, the Division will strengthen and broaden the existing capacity-building activities. The Division will also continue to provide advisory services on the implications of the provisions of the Convention for existing and proposed legal instruments, as well as to contribute to and participate in the activities and meetings of intergovernmental bodies and non-

governmental organizations, in particular in relation to chapter 17 of Agenda 21, as well as in the anticipated mechanisms for inter-agency cooperation.

8.14 With respect to subprogramme 5, the net increase of $362,200 reflects the delayed impact of three posts approved for the biennium 2004-2005 and a reduction in the number of days allocated to expert group meetings. During the 2006-2007 biennium, the Division will continue to provide substantive services to UNCITRAL and its working groups with a view to expanding the body of uniform legal standards for worldwide use and to preparing the future legislative work programme of UNCITRAL. In addition, increased activities are expected in respect of technical assistance to law reform projects in Member States based on UNCITRAL standards. Strengthened coordination between international organizations active in the field of international trade law will also be sought, consistent with the mandate of UNCITRAL as the core legal body in the United Nations system in the field of international trade law.

8.15 With regard to subprogramme 6, the efforts to address the publishing backlog in the Treaty Section have been very successful as reflected in the reduction for non-post resources. The backlog that remains (approximately 10 months) is expected to be reduced to six months in the near future. The continuous upgrading of work methods over successive bienniums has also resulted in decreased staff costs, and the Section now has a more streamlined structure. In view of the rationalized workload, it is proposed to downgrade one P-3 (Proofreader) post to P-2 and upgrade one P-3 (Legal officer) post to P-4, so as to ensure adequate supervisory capabilities in the legal area. The continued enhancement of the data-processing services will further enable the Treaty Section to develop and enhance the treaty database and the United Nations Treaty Collection website, which now receives approximately 1.7 million hits per month.

8.16 The overall resources required for the biennium 2006-2007 for this section amount to $41,244,400, before recosting, reflecting an increase of $610,400 in resources (or 1.5 per cent at 2004-2005 rates). The overall level of resources, as indicated in table 8.4 below, reflects, inter alia, the delayed impact of three new posts established in 2004-2005 related to the approved restructuring of the International Trade Law Division, the proposed establishment of one new Professional post at the P-2 level for the General Legal Division, the upward reclassification of a P-3 post to the P-4 level, which is partially offset by the downward reclassification of a P-3 post to the P-2 level in the Treaty Section, and increased non-post resources to assist with reducing the backlog of Administrative Tribunal cases.

8.17 The amount of extrabudgetary resources, estimated at $6,992,000, will be utilized for activities related to, inter alia, support for United Nations organizations, peacekeeping operations, symposiums on international trade law and assistance in the teaching, study, dissemination and wider appreciation of international law.

8.18 Pursuant to General Assembly resolution 58/269 of 23 December 2003, resources identified for the conduct of monitoring and evaluation would amount to $639,000, reflected under subprogramme 2 ($65,900 is regular budget and $58,000 is extrabudgetary), subprogramme 3 ($10,500 is regular budget) and subprogramme 4 ($504,600 is regular budget).

8.19 The estimated percentage distribution of the resources of the programme in the biennium 2006-2007 is as shown in table 8.3.

8.20 The distribution of resources is summarized in tables 8.4 and 8.5.

Table 8.3 **Percentage distribution of resources by component**

Component	*Regular budget*	*Extrabudgetary*
A. Policymaking organs		
1. International Law Commission	4.5	—
2. United Nations Commission on International Trade Law	1.1	—
3. United Nations Administrative Tribunal	3.9	—
Subtotal A	**9.5**	—
B. Programme of work		
1. Overall direction, management and coordination of legal advice and services to the United Nations as a whole	10.2	34.5
2. General legal services provided to United Nations organs and programmes	14.2	52.6
3. Progressive development and codification of international law	14.0	1.8
4. Law of the sea and ocean affairs	17.4	8.7
5. Progressive harmonization, modernization and unification of the law of international trade	13.8	2.4
6. Custody, registration and publication of treaties	16.3	—
Subtotal B	**85.9**	**100.0**
C. Programme support	4.6	—
Total	**100.0**	**100.0**

Table 8.4 **Resource requirements by component**

(Thousands of United States dollars)

(1) *Regular budget*

Component	*2002-2003 expenditure*	*2004-2005 appropriation*	*Resource growth*		*Total before recosting*	*Recosting*	*2006-2007 estimate*
			Amount	*Percentage*			
A. Policymaking organs	3 307.7	3 834.8	79.0	2.1	3 913.8	209.4	4 123.2
B. Programme of work	29 890.2	35 102.0	316.7	0.9	35 418.7	2 294.7	37 713.4
C. Programme support	1 694.7	1 697.2	214.7	12.7	1 911.9	123.5	2 035.4
Subtotal	**34 892.6**	**40 634.0**	**610.4**	**1.5**	**41 244.4**	**2 627.6**	**43 872.0**

(2) *Extrabudgetary*

	2002-2003 expenditure	*2004-2005 estimate*	*2006-2007 estimate*
Subtotal	**3 868.2**	**5 739.0**	**6 992.0**
Total (1) and (2)	**38 760.8**	**46 373.0**	**50 864.0**

Table 8.5 **Post requirements**

Category	Established regular budget posts		Temporary posts				Total	
			Regular budget		Extrabudgetary[a]			
	2004-2005	2006-2007	2004-2005	2006-2007	2004-2005	2006-2007	2004-2005	2006-2007
Professional and above								
USG	1	1	—	—	—	—	1	1
ASG	1	1	—	—	—	—	1	1
D-2	4	4	—	—	—	—	4	4
D-1	7	7	—	—	2	2	9	9
P-5	18	18	—	—	2	2	20	20
P-4/3	42	41	—	—	6	6	48	47
P-2/1	12	14	—	—	2	2	14	16
Subtotal	**85**	**86**	**—**	**—**	**12**	**12**	**97**	**98**
General Service								
Principal level	11	11	—	—	—	—	11	11
Other levels	50	50	—	—	6	6	56	56
Subtotal	**61**	**61**	**—**	**—**	**6**	**6**	**67**	**67**
Total	**146**	**147**	**—**	**—**	**18[a]**	**18[a]**	**164**	**165**

[a] Includes 13 posts (2 D-1, 1 P-5, 1 P-4, 1 P-3, 2 P-2, 6 General Service (Other level)) funded from support to extrabudgetary administrative structures and 5 posts (1 P-5, 3 P-4, 1 P-3) from support to peacekeeping operations.

A. Policymaking organs

1. International Law Commission

Resource requirements (before recosting): $1,852,400

8.21 The International Law Commission was established by the General Assembly in its resolution 174 (II) of 21 November 1947. The Commission has as its objective the promotion of the progressive development of international law and its codification. It consists of 34 members who are persons of recognized competence in international law. Unless otherwise decided by the General Assembly, the Commission meets annually for one 12-week session in Geneva and reports to the Assembly, which provides guidance to the Commission on its programme of work. The Codification Division of the Office of Legal Affairs provides substantive servicing for the Commission.

Table 8.6 **Resource requirements**

Category	Resources (thousands of United States dollars)		Posts	
	2004-2005	2006-2007 (before recosting)	2004-2005	2006-2007
Regular budget				
Non-post	1 852.4	1 852.4	—	—
Total	**1 852.4**	**1 852.4**	**—**	**—**

8.22 The amount of $1,852,400, at the maintenance level, covers the costs of: (a) attendance by the Chairman and 33 members at the annual session at Geneva; (b) attendance by the Chairman at the regular sessions of the Assembly during consideration of the Commission's reports; and (c) attendance by the Chairman or another representative of the Commission at the sessions of the four regional legal intergovernmental bodies (two weeks each) with which the Commission, pursuant to its statute, has established links of cooperation.

2. United Nations Commission on International Trade Law

Resource requirements (before recosting): $467,600

8.23 UNCITRAL, comprising 60 Member States, is charged by General Assembly resolution 2205 (XXI) of 17 December 1966 with the improvement and harmonization of international trade law, which corresponds to subprogramme 5. The Commission carries out its tasks, with the assistance of the International Trade Law Division as its secretariat, in one annual meeting of up to four weeks' duration and in six working group meetings on specialized topics of up to a total of 12 weeks' duration per year.

Table 8.7 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Non-post	418.3	467.6	—	—
Total	**418.3**	**467.6**	**—**	**—**

8.24 The amount of $467,600 would provide for the travel of representatives, travel of staff and contractual services. An increase in resources relates to travel of staff in support of the six working groups of the Commission.

3. United Nations Administrative Tribunal (including its secretariat)

Resource requirements (before recosting): $1,593,800

8.25 The United Nations Administrative Tribunal is the independent organ competent to hear and pass judgement upon applications alleging non-observance of contracts of employment of staff members of the United Nations Secretariat, including the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, or of their terms of appointment, as well as applications alleging non-observance of the regulations and rules of the United Nations Joint Staff Pension Fund arising out of decisions by the Fund. The Tribunal was established by the General Assembly in its resolution 351 A (IV) of 24 November 1949. It is composed of seven members, no two of whom may be nationals of the same State, who are appointed by the Assembly initially for four years and may be reappointed once. The competence of the Tribunal extends to the secretariats of the associated programmes that are financed from voluntary contributions, such as the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the Office of

the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Under article 14 of the Tribunal's statute, its competence has also been extended to staff members of member organizations of the Pension Fund, two specialized agencies, the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) and to the staff of the Registries of the International Court of Justice and the International Tribunal for the Law of the Sea, as well as to the staff of the International Seabed Authority.

8.26 The secretariat provides substantive, technical and administrative servicing of the sessions of the Tribunal, including legal research and analysis of precedents; preparation of draft summaries of facts and contentions of parties for judgements to be rendered by the Tribunal; analysis and research of documentation relevant to cases on appeal to the Tribunal; consultations with administrations of subsidiary organs of the United Nations, the secretariat of the United Nations Joint Staff Pension Fund, the administrations of the specialized agencies subject to the jurisdiction of the Tribunal (IMO and ICAO) and the Registries of the International Court of Justice, the International Tribunal for the Law of the Sea and the International Seabed Authority; and conducting the external relations of the Tribunal, including its relations with the secretariat of the International Labour Organization. During the biennium 2006-2007, the secretariat will also publish the recurrent publication *Judgements of the Administrative Tribunal* in English and French.

Table 8.8 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	858.7	858.7	4	4
Non-post	705.4	735.1	—	—
Total	**1 564.1**	**1 593.8**	**4**	**4**

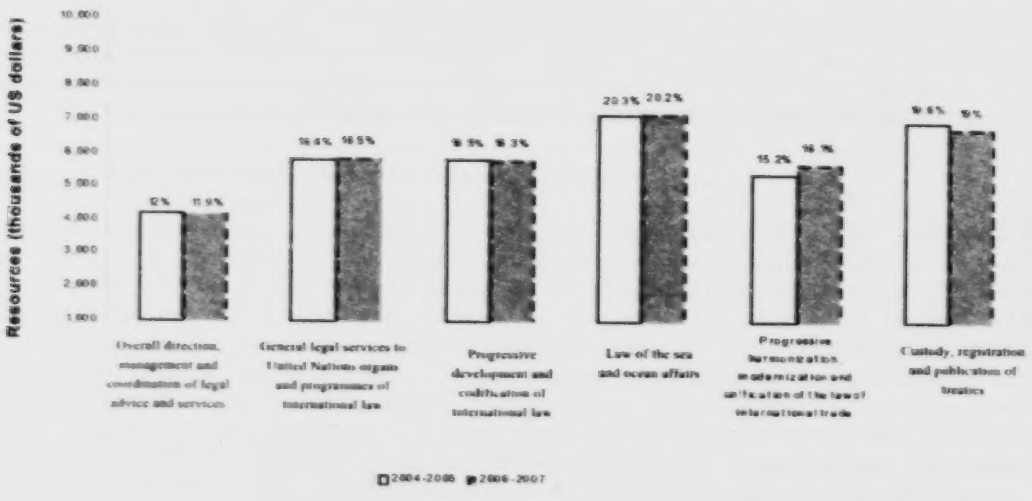
8.27 The amount of $1,593,800 covers the continuation of four posts and various non-post items. The net increase in non-post requirements of $29,700 relates primarily to general temporary assistance to reduce the backlog of Tribunal cases and to cover the increased workload in relation to sessions of the Tribunal held in Geneva and at Headquarters, as well as travel.

B. Programme of work

Table 8.9 **Resource requirements by subprogramme**

Subprogramme	*Resources (thousands of United States dollars)*		*Posts*	
	2004-2005	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
1. Overall direction, management and coordination of legal advice and services to the United Nations as a whole	4 175.9	4 204.9	15	15
2. General legal services provided to United Nations organs and programmes	5 773.1	5 837.9	21	22
3. Progressive development and codification of international law	5 799.1	5 787.7	21	21
4. Law of the sea and ocean affairs	7 137.3	7 163.8	28	28
5. Progressive harmonization, modernization and unification of the law of international trade	5 334.7	5 696.9	21	21
6. Custody, registration and publication of treaties	6 881.9	6 727.5	29	29
Subtotal	**35 102.0**	**35 418.7**	**135**	**136**
Extrabudgetary	5 739.0	6 992.0	18	18
Total	**40 841.0**	**42 410.7**	**153**	**154**

Table 8.10 **Regular budget resource requirements by subprogramme**



Subprogramme 1
Overall direction, management and coordination of legal advice and services provided to the United Nations as a whole

Resource requirements (before recosting): $4,204,900

8.28 The Office of the Legal Counsel is responsible for the implementation of the subprogramme and for the overall direction, supervision and management of all legal activities under this section. In addition to the outputs listed, the Office is often called upon to present papers and to participate in meetings and conferences sponsored by United Nations organs, Governments, professional societies or international organizations on legal issues relating to the functions of the United Nations. It also provides legal expertise and resource persons to training courses sponsored by Governments or international institutions for diplomats on subjects falling within the competence of the Office of the Legal Counsel.

Table 8.11 **Objectives for the biennium, expected accomplishments and indicators of achievement**

Objective of the Organization: To assist the principal organs of the United Nations in enhancing respect for the rule of law.

Expected accomplishments of the Secretariat	Indicators of achievement
Provision of qualitative and timely legal advice, thus facilitating the functioning of the principal and subsidiary organs of the United Nations in accordance with international law, including the United Nations legal regime	(a) Absence of challenges to the clarity or accuracy of advice *Performance measures*: 2002-2003: 1 challenge Estimate 2004-2005: 1 challenge Target 2006-2007: 0 challenges (b) Legal instruments are finalized in respect of the activities of the United Nations *Performance measures*: 2002-2003: within a 4-month period Estimate 2004-2005: within a 4-month period Target 2006-2007: within a 3-month period

External factors

8.29 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Member States will strengthen respect for the rule of law and, in particular, fulfil their obligations under the international legal instruments they have concluded with the United Nations to which they are a party;

(b) The principal and subsidiary organs of the United Nations will seek to obtain legal advice, support and services concerning the adoption and implementation of their resolutions and decisions and the conduct of their work and meetings;

(c) Secretariat units will seek to obtain legal advice concerning the legal regimes required, and the legal rights and obligations of the Organization necessary to implement mandates and programmes;

(d) Intergovernmental organizations, academic institutions, non-governmental organizations and members of the general public will seek to obtain legal advice and request the participation of members of the Office of the Legal Counsel in seminars and presentations.

Outputs

8.30 During the biennium 2006-2007, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget) and substantive servicing of meetings:

(i) Advice to the General Assembly, its Main Committees, the Credentials Committee and conferences on the Charter of the United Nations, resolutions, rules of procedure, status of members and observers, credentials and representation (100);

(ii) Oral and written advice to the Security Council and its subsidiary organs on the interpretation and implementation of resolutions, provisional rules of procedure and statutes of ad hoc criminal tribunals (25);

(iii) Substantive and procedural advice to the Economic and Social Council, including functional and regional commissions, on the Charter of the United Nations, resolutions, rules of procedure, elections and the consultative status of non-governmental organizations (30);

(iv) Substantive and secretariat services to the Committee on Relations with the Host Country and its working groups, including preparation of notes and statements for the Chairman, assistance to the bureau, analysis of legal issues and preparation of reports and documentation (5);

(b) Other substantive activities (regular budget). Promotion of legal instruments:

(i) Advice on legal questions concerning the privileges and immunities and the status of the Organization, including UNDP, UNICEF, UNFPA and the United Nations Office for Project Services (UNOPS) in the territory of Member States and the relationship with States and intergovernmental organizations;

(ii) Advice on questions relating to the interpretation and application of the Charter, legal agreements, United Nations resolutions and general questions of public international law to ensure uniform and consistent practice of the law;

(iii) Advice to operationally responsible Secretariat units, offices established away from Headquarters, peacekeeping and other missions and expert groups mandated to investigate matters related to international peace and security;

(iv) Establishment of and advice on the necessary legal instruments, legal regimes and mandates for all peacekeeping operations and other missions, including status-of-forces agreements and status-of-mission agreements, agreements with contributing States and cooperation agreements with regional organizations;

(v) Formulation of statements of public international law and analysis of specific legal issues in response to inquiries from intergovernmental and regional organizations, international and academic institutions and the public;

(vi) Preparation and/or analyses of reports of a legal nature requested by the Security Council or its subsidiary organs in the field of international peace and security; liaison with the International Court of Justice; and discharging the responsibilities of the Secretary-General under the Statute of the International Court of Justice, including the preparation of legal statements and the transmission of notices relating to legal proceedings;

(vii) Negotiation of international agreements and constitutive and other instruments required for the conduct of mandates carried out by the United Nations and its subsidiary organs, including UNDP, UNICEF, UNFPA and UNOPS, with Governments and intergovernmental organizations;

(viii) Promotion of respect for Articles 104 and 105 of the Charter, the Convention on the Privileges and Immunities of the United Nations and the headquarters agreements with the United States of America and other host Governments;

(ix) Settlement of disputes of a public international law character involving the Organization, including representation of the Secretary-General at judicial proceedings, including those of the International Court of Justice;

(x) Advisory services to Governments on questions relating to international public law through the relevant subsidiary organs in accordance with existing practice;

(c) Technical cooperation (regular budget/extrabudgetary). Advisory services: assistance to States, including through the Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice, in settling their legal disputes through the International Court of Justice, including application of the statute, and reporting to the Secretary-General and the General Assembly.

Table 8.12 **Resource requirements: subprogramme 1**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	3 837.4	3 837.4	15	15
Non-post	338.5	367.5	—	—
Subtotal	**4 175.9**	**4 204.9**	**15**	**15**
Extrabudgetary	1 515.0	2 414.0	5	5
Total	**5 690.9**	**6 618.9**	**20**	**20**

8.31 The amount of $4,204,900 provides for the continuation of 15 established posts and reflects increases in non-post resources relating primarily to data-processing requirements.

Subprogramme 2
General legal services provided to United Nations organs and programmes

Resource requirements (before recosting): $5,837,900

8.32 The subprogramme will be implemented by the General Legal Division, which will continue to meet the demand from throughout the Organization for legal advice, services and support for the Organization's operations and activities.

Table 8.13 **Objectives for the biennium, expected accomplishments and indicators of achievement**

Objective of the Organization: To protect the legal interests of the Organization.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Maximization of the protection of the legal interests of the Organization and minimization of the number of disputes and other legal difficulties	(a) (i) Absence of instances in which, unless waived, the status and privileges and immunities of the Organization are not maintained *Performance measures*: 2002-2003: 0 cases Estimate 2004-2005: 0 cases Target 2006-2007: 0 cases (ii) Reduction in the number of instances in which the legal rights of the Organization are not protected *Performance measures*: 2002-2003: 150 cases Estimate 2004-2005: 150 cases Target 2006-2007: 100 cases
(b) Minimization of the legal liabilities of the Organization	(b) Total liabilities are minimized compared with total claims made against the Organization *Performance measures*: 2002-2003: 60 per cent reductions of total amounts claimed Estimate 2004-2005: 60 per cent reduction of total amounts claimed Target 2006-2007: 65 per cent reduction of total amounts claimed

External factors

8.33 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that: Member States will be supportive of the Organization and recognize its status and its privileges and immunities through their legal systems; and United Nations units will seek legal advice in a timely manner, will provide sufficient information for analysis and will be guided by the advice rendered.

Outputs

8.34 During the biennium 2006-2007, the following final outputs will be delivered:

(a) Technical cooperation (regular budget/extrabudgetary). Advisory services:

(i) Advice and assistance on arbitration or litigation arising out of peacekeeping and other missions, including representation of the Organization before arbitral, judicial and other quasi-judicial and administrative bodies;

(ii) Advice and assistance on arbitration or litigation unrelated to peacekeeping, including representation of the Organization before arbitral, judicial and other quasi-judicial and administrative bodies;

(iii) Advice and assistance on maintaining the privileges and immunities of the United Nations and its subsidiary organs before judicial, quasi-judicial and other administrative bodies;

(iv) Advice on administrative policies and procedures, including formation and interpretation of regulations, rules and other administrative issuances; advice on claims arising out of peacekeeping and other missions, including assistance in resolving contractual and real property disputes, as well as claims for property damage, personal injury and death;

(v) Advice on commercial activities unrelated to peacekeeping, including contracts and substantial procurement of goods and services, insurance, real property arrangements, intellectual property issues and procurement practices, policies and procedures;

(vi) Advice on commercial and other claims unrelated to peacekeeping, including assistance in resolving contractual and real property disputes, as well as claims for property damage, personal injury and death;

(vii) Advice on commercial aspects of development assistance, including goods and services, establishment of field offices and management of loans by Governments and regional, international or other financial institutions;

(viii) Advice on commercial aspects of peacekeeping and other missions, including contracts and substantial procurement for logistical support, insurance, demining and similar operations, disposition of assets and air and sea charter arrangements;

(ix) Advice on legal aspects of financial questions, including formulation and interpretation of the financial regulations and rules, treasury operations,

banking arrangements and the operations and investments of the Joint Staff Pension Fund;

(x) Advice on legal aspects of fund-raising activities of separately funded subsidiary organs, including arrangements regarding administrative fees and direct or indirect contributions;

(xi) Advice on institutional and operational arrangements for peacekeeping and other missions and for development assistance, including formation and interpretation of agreements with Governments and international organizations concerning such arrangements;

(xii) Advice on internal oversight services, including assistance in prosecuting staff and others who engage in theft, corruption or other fraudulent activities, and assistance in the recovery of assets fraudulently obtained from the Organization;

(xiii) Advice on legal aspects of management of development and technical assistance, including personnel and financial arrangements, and the revision and harmonization of staff and financial regulations and rules of the separately funded subsidiary organs;

(xiv) Advice on personnel matters, including formation and interpretation of the staff regulations and rules, issues of the rights and obligations of staff members, benefits and allowances, tax reimbursement and pension matters;

(xv) Advice on public-private partnerships, including the development of new modalities for such partnerships and the interpretation and application of United Nations financial regulations and rules and national law requirements to such modalities;

(xvi) Advice on the legislative aspects of peacekeeping and other missions, such as regulations and rules and the *Field Administration Handbook*, governing staff serving in such missions; representation of the Secretary-General in cases brought under the statute of the United Nations Administrative Tribunal.

Table 8.14 **Resource requirements: subprogramme 2**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	5 298.4	5 403.4	21	22
Non-post	474.7	434.5	—	—
Subtotal	5 773.1	5 837.9	21	22
Extrabudgetary	3 366.0	3 677.0	13	13
Total	**9 139.1**	**9 514.9**	**34**	**35**

8.35 Resources amounting to $5,837,900 would provide for 22 posts, including the establishment of one P-2 post, Associate Legal Officer, and various non-post items. The increase in post resources, which is partially offset by a decrease in non-post items mainly related to data-processing services, is proposed to provide services in a timely manner in the face of increasing demands.

Subprogramme 3
Progressive development and codification of international law

Resource requirements (before recosting): $5,787,700

8.36 The subprogramme will be implemented by the Codification Division, which will continue to provide substantive legal support to United Nations organs entrusted with the formulation of legal instruments, including the International Law Commission and the Sixth Committee of the General Assembly, as well as ad hoc committees. The subprogramme will also continue to perform the required functions related to the wider dissemination and understanding of international law.

Table 8.15 **Objectives for the biennium, expected accomplishments and indicators of achievement**

Objective of the Organization: To facilitate the progressive development and codification of international law.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Progress in the formulation of legal instruments	(a) (i) Level of progress achieved on instruments under preparation *Performance measures*: 2002-2003: 30 per cent of instruments with moderate or higher progress Estimate 2004-2005: 30 per cent of instruments with moderate or higher progress Target 2006-2007: 33 per cent of instruments with moderate or higher progress (ii) Satisfaction of users of publications and other electronically disseminated information *Performance measures*: 2002-2003: 4 rating (scale 1-5) Estimate 2004-2005: at least 4 rating (scale 1-5) Target 2006-2007: at least 4 rating (scale 1-5)

(b) Wider appreciation and understanding of international law	(b) (i) Satisfaction of participants with the quality of courses and seminars *Performance measures*: 2002-2003: 4 rating (scale 1-5) Estimate 2004-2005: at least 4 rating (scale 1-5) Target 2006-2007: at least 4 rating (scale 1-5) (ii) Satisfaction of end-users with the quality of publications issued and information electronically disseminated *Performance measures*: 2002-2003: 4 rating (scale 1-5) Estimate 2004-2005: at least 4 rating (scale 1-5) Target 2006-2007: at least 4 rating (scale 1-5) (iii) Proposals and measures, in cooperation with universities and other institutions, if appropriate, aimed at reducing the backlog in the publication of the *Repertory of Practice of United Nations Organs* and the *United Nations Juridical Yearbook* *Performance measures*: 2002-2003: 10 externs or interns involved Estimate 2004-2005: 10 externs or interns involved Target 2006-2007: 20 externs or interns involved

External factors

8.37 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Problems requiring legal regulation on the international level are universally recognized and favourable political conditions for their legal solution exist;

(b) A political environment stimulating participation of States in international legal instruments promoted under the subprogramme continues to exist;

(c) The flow of voluntary contributions by States and private institutions for granting scholarships continues; leading scholars and experts for seminars and courses planned under the subprogramme are available; Governments show readiness to host/sponsor regional seminars;

(d) There are extrabudgetary resources and/or gratis assistance available for the publication of the *Repertory of Practice of United Nations Organs*.

Outputs

8.38 During the biennium, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget):

(i) General Assembly:

a. Substantive servicing of meetings;

b. Parliamentary documentation: report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 (2); report of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel (2); report of the International Law Commission (2); report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Organization (2); report of the working group on measures to eliminate international terrorism (2); report on assistance to third States affected by application of sanctions (2); report on effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (1); report on the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* (2); report on the implementation of the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (1); report on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (1); reports of the Sixth Committee (20);

(ii) Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization:

a. Substantive servicing of meetings (40);

b. Parliamentary documentation: pre-session (2);

(iii) Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study and Dissemination and Wider Appreciation of International Law: substantive servicing of meetings (4);

(iv) Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel:

a. Substantive servicing of meetings (40);

b. Parliamentary documentation: pre-session documentation (2);

(v) Ad Hoc Committee on the Elaboration of Legal Instruments for the Prevention of Terrorist Acts:

a. Substantive servicing of meetings (40);

b. Parliamentary documentation: pre-session documentation (2);

(vi) International Law Commission:

a. Substantive servicing of meetings (182);

b. Parliamentary documentation: report on diplomatic protection (1); report on effects of armed conflicts on treaties (2); report on expulsion of aliens (2); report on fragmentation of international law (2); report on liability for acts not prohibited by international law (1); report on reservations to treaties (2); report on responsibility of international organizations (2); report on shared natural resources (2); report on unilateral acts of States (2); topical summary (2);

c. Assistance to representatives and rapporteurs: assistance to the Special Rapporteur of the International Law Commission on diplomatic protection; assistance to the Special Rapporteur of the International Law Commission on effects of armed conflicts on treaties; assistance to the Special Rapporteur of the International Law Commission on expulsion of aliens; assistance to the Special Rapporteur of the International Law Commission on fragmentation of international law; assistance to the Special Rapporteur of the International Law Commission on liability for acts not prohibited by international law; assistance to the Special Rapporteur of the International Law Commission on reservations to treaties; assistance to the Special Rapporteur of the International Law Commission on responsibility of international organizations; assistance to the Special Rapporteur of the International Law Commission on shared natural resources; assistance to the Special Rapporteur of the International Law Commission on unilateral acts of States;

(b) Other substantive activities (regular budget):

(i) Recurrent publications: *Legislative Series* (General Assembly resolution 174 (II)), volumes 25 and 26; *Repertory of Practice of United Nations Organs*, volumes IV and V, Supplement 7, and volume VI, Supplements 8 and 9; reports of *International Arbitral Awards*, volumes XXV, XXVI and XXVII; *United Nations Juridical Yearbook* 2004 and 2005; *Yearbook of the International Law Commission* 2003, 2004 and 2005, vol. I, vol. II, part I, and vol. II, part II;

(ii) Non-recurrent publications: *International Instruments related to the Prevention and Suppression of International Terrorism* (3rd revised edition);

(iii) Technical material: audio-visual library on international law;

(iv) Promotion of legal instruments: coordination of the preparation of *Repertory of Practice of United Nations Organs*; website: Codification of International Law; website: International Law Commission; website: Sixth Committee;

(v) Seminars for outside users: lectures/briefings on subjects of international public law of direct relevance to the subprogramme for outside users (2);

(c) Technical cooperation (regular budget/extrabudgetary):

(i) Advisory services: cooperation with regional bodies dealing with issues of progressive development of international law and its codification; participation in experts meetings to which the United Nations is invited as an observer;

(ii) Training courses, seminars and workshops: courses and seminars (fellowships) under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law; International Law Seminar.

Table 8.16 **Resource requirements: subprogramme 3**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	5 149.2	5 149.2	21	21
Non-post	649.9	638.5	—	—
Subtotal	**5 799.1**	**5 787.7**	**21**	**21**
Extrabudgetary	126.0	125.0	—	—
Total	**5 925.1**	**5 912.7**	**21**	**21**

8.39 The amount of $5,787,700 covers the continuation of 21 posts and various non-post items. The decrease in non-post items, in particular contractual services, is mainly attributable to a reduction in external printing and the completion of the conversion of publications into electronic versions.

Subprogramme 4
Law of the sea and ocean affairs

Resource requirements (before recosting): $7,163,800

8.40 The subprogramme will be implemented by the Division for Ocean Affairs and the Law of the Sea. Its responsibilities include ensuring consistency of the instruments and programmes in their respective areas of competence inside the Organization, as well as among external agencies, with the United Nations Convention on the Law of the Sea.

Table 8.17 **Objectives for the biennium, expected accomplishments and indicators of achievement**

Objective of the Organization: To promote the universal acceptance and implementation of the United Nations Convention on the Law of the Sea.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Improved uniformity and consistency in the application of the Convention and the agreements	(a) (i) Increased number of States parties able to comply with their obligations under the Convention and agreements *Performance measures*: 2002-2003: 313 States parties in compliance with the United Nations Convention on the Law of the Sea, Part XI of the United Nations Convention on the Law of the Sea and to the Fisheries Agreement Estimate 2004-2005: additional 8 States parties Target 2006-2007: additional 12 States parties (ii) Increased participation of Member States in meetings related to oceans and the law of the sea, and in particular in meetings of the informal consultative process *Performance measures*: 2002-2003: 89 Member States Estimate 2004-2005: 90 Member States Target 2006-2007: 100 Member States
(b) Increased opportunities for States to derive benefits from the seas and oceans in conformity with the United Nations Convention on the Law of the Sea	(b) Increased number of submissions to the Commission on the Limits of the Continental Shelf *Performance measures*: 2002-2003: 1 submission Estimate 2004-2005: 2 submissions Target 2006-2007: 4 submissions

(c) Increased cooperation of intergovernmental organizations in the work of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea	(c) (i) Increased number of contributions made by intergovernmental organizations to the Secretary-General's annual report to the General Assembly on oceans and the law of the sea *Performance measures*: 2002-2003: 32 contributions Estimate 2004-2005: 33 contributions Target 2006-2007: 35 contributions (ii) Increased number of intergovernmental organizations participating in the work of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea *Performance measures*: 2002-2003: 17 intergovernmental organizations Estimate 2004-2005: 15 intergovernmental organizations Target 2006-2007: 16 intergovernmental organizations

External factors

8.41 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) The marine sector is accorded due priority in national plans, programmes and projects;

(b) Programmes and resources are available to national authorities to adopt/adapt and implement legal instruments in the field of law of the sea and ocean affairs;

(c) Intergovernmental bodies have programmes and resources to execute the required coordination and to provide the necessary input to ensure better governance of the oceans.

Outputs

8.42 During the biennium 2006-2007, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget):

(i) Meeting of the States Parties to the Convention on the Law of the Sea:

a. Substantive servicing of meetings: plenary (70);

b. Parliamentary documentation: as required by article 319 of the Convention, annual reports on issues of a general nature that have arisen with respect to the Convention, the work of the Commission on the Limits of the Continental Shelf

and priority topics selected by the States; background papers and conference room papers, as mandated; reports of the Meeting of States Parties on its fourteenth and fifteenth sessions;

(ii) General Assembly:

a. Parliamentary documentation: annual reports on developments pertaining to the implementation of the United Nations Convention on the Law of the Sea and other developments and emerging issues relating to ocean affairs and the law of the sea (2); reports on implementation of the Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea (10 December 1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1); reports on the state of the global marine environment (2); reports on the work of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea (2); specific topics of current interest (1); sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments (1);

(iii) Open-Ended Informal Consultative Process on Oceans and the Law of the Sea:

a. Substantive servicing of meetings: plenary and working groups (40);

b. Parliamentary documentation: background papers and conference room papers, as mandated; priority topics selected by the consultative process;

(iv) Commission on the Limits of the Continental Shelf:

a. Substantive servicing of meetings: plenary and working groups (240);

b. Parliamentary documentation: background papers and conference room papers, as mandated (8); priority topics selected by the Commission (4);

c. Ad hoc expert groups: ad hoc group of experts to initiate the start-up phase, the Assessment of assessments for the second international workshop on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects (1); Ad Hoc Open-Ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (1); Aquatic Sciences and Fisheries Abstracts Advisory Board, plenary (2); Group of Experts on Scientific Aspects of Marine Environmental Protection, plenary (2); Group of Experts on Scientific Aspects of Marine Environmental Protection, working group (2); working group of experts on the technical standards for the collection, storage and dissemination of the information deposited under the Commission with respect to the limits of maritime zones (1); special task force on flag state implementation (4);

(b) Other substantive activities (regular budget):

(i) Recurrent publications: *Bibliography of the Law of the Sea*; biennial *Report of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection*; *Law of the Sea Bulletin*; *Practice of States*;

(ii) Non-recurrent publications: deposit of charts and lists of coordinates under the United Nations Convention on the Law of the Sea of 1982 — technical standards; international

fisheries instruments with index — reprint, reflecting as necessary the results of the Review Conference 2006; *Legislative History of Article 220 of the United Nations Convention on the Law of the Sea — Enforcement by Coastal States*; *Legislative History of Part VI (articles 76 to 85) and Annex II of the United Nations Convention on the Law of the Sea*; training manual to assist States in the implementation of article 76;

(iii) Booklets, fact sheets, wall charts, information kits: abstracts for the inter-agency monthly publication, *Aquatic Sciences and Fisheries Abstracts*; law of the sea information circular; newsletter on current developments in the law of the sea and ocean affairs; special studies/reviews, in cooperation with competent international organizations as required, on selected emerging issues and persistent problems related to the law of the sea and ocean affairs;

(iv) Press releases, press conferences: meetings of States Parties to the United Nations Convention on the Law of the Sea, meetings of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea; sessions of the Commission on the Limits of the Continental Shelf;

(v) Technical material: Internet websites on the Commission on the Limits of the Continental Shelf, the law of the sea and ocean affairs, and the train-sea-coast programme; maintenance and further development of the facilities for the deposit by States of charts and geographical coordinates concerning baselines and limits of national maritime zones and of the system for their recording;

(vi) Promotion of legal instruments: promotion of the universal acceptance of the Convention and the related agreements, their uniform and consistent application and their effective implementation;

(c) Technical cooperation (regular budget/extrabudgetary):

(i) Advisory services:

a. On harmonizing national legislation with the provisions of the Convention and the drafting of rules and regulations to implement such legislation;

b. On issues related to the full realization of benefits by States under the Convention, including economic, technological, scientific and environmental issues;

c. On issues related to the ratification of the Convention and the related agreements, their uniform and consistent application and effective implementation, including the impact of the entry into force of the Convention;

(ii) Training courses, seminars and workshops:

a. Operation and further development of the training programme on the law of the sea and ocean affairs, including train-sea-coast (with support from UNDP):

i. Assistance in strengthening national training institutions;

ii. Further development of a menu of training courses;

iii. Training of a cadre of course developers;

b. Workshop on the preparation of a submission to the Commission on the Limits of the Continental Shelf in accordance with article 76 of the United Nations Convention on the Law of the Sea;

c. Organization of seminars/workshops related to the law of the sea and ocean affairs;

d. Regular and ad hoc briefings on the law of the sea;

(iii) Fellowships and grants: annual award of the Hamilton Shirley Amerasinghe Memorial Fellowship and supervision of the fellowship recipient through the operation of the fellowship programme; annual award of the United Nations/Nippon Foundation scholarships and supervision of recipients through the operation of capacity-building training;

(iv) Field projects: project support in cooperation with funding agencies and in joint activities with other international organizations and institutions, where appropriate;

(d) Conference services, administration, oversight (regular budget). Library services: provision of library services through the maintenance and development of the specialized reference collection and bibliographic database on the law of the sea and ocean affairs.

Table 8.18 **Resource requirements: subprogramme 4**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	6 684.4	6 684.4	28	28
Non-post	452.9	479.4	—	—
Subtotal	**7 137.3**	**7 163.8**	**28**	**28**
Extrabudgetary	565.0	609.0	—	—
Total	**7 702.3**	**7 772.8**	**28**	**28**

8.43 The amount of $7,163,800 provides for 28 established posts and various non-post items. The non-post resource growth of $26,500 reflects mainly replacement of office automation equipment, including the specialized equipment required for the work of the Commission on the Limits of the Continental Shelf in dealing with submissions of coastal States.

Subprogramme 5
Progressive harmonization, modernization and unification of the law of international trade

Resource requirements: $5,696,900

8.44 The subprogramme is implemented by the International Trade Law Division, which acts as the secretariat of UNCITRAL. It provides substantive and administrative support to UNCITRAL and its intergovernmental working groups by preparing studies, draft texts and other preparatory work for the development of legal texts and coordination of work of other international organizations formulating rules on international trade. It also provides technical assistance to Governments and international organizations using UNCITRAL texts in their legislative work.

Table 8.19 **Objectives for the biennium, expected accomplishments and indicators of achievement**

Objective of the Organization: To facilitate and encourage the progressive improvement, harmonization, understanding, knowledge and application of international trade law and coordination of the work of international organizations active in that field.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Contributions to the modernization of trade practices and reduction of legal uncertainties and obstacles posed by inadequate and disparate laws	(a) (i) Increased number of legislative decisions (ratifications and national enactments) based on UNCITRAL texts *Performance measures*: 2002-2003: 38 additional treaty action and national enactments Estimate 2004-2005: 40 additional treaty action and national enactments Target 2006-2007: 40 additional treaty action and national enactments (ii) Increased number of judicial decisions based on UNCITRAL texts *Performance measures*: 2002-2003: 68 additional judicial and arbitral decisions collected in the database of the Case Law on UNCITRAL texts (CLOUT) Estimate 2004-2005: 70 additional judicial and arbitral decisions collected in CLOUT database Target 2006-2007: 70 additional judicial and arbitral decisions collected in CLOUT database
(b) Contributions to the increased understanding of international trade law issues and reliance on UNCITRAL standards	(b) (i) Increased number of publications referring to the work of UNCITRAL *Performance measures*: 2002-2003: 324 additional publications collected in the UNCITRAL bibliography Estimate 2004-2005: 332 additional publications collected in the UNCITRAL bibliography Target 2006-2007: 340 additional publications collected in the UNCITRAL bibliography

	(ii) Increased number of mentions of UNCITRAL texts in legal databases *Performance measures*: 2002-2003: 392 additional mentions of UNCITRAL texts identified on legal databases Estimate 2004-2005: 400 additional mentions of UNCITRAL texts identified on legal databases Target 2006-2007: 400 additional mentions of UNCITRAL texts identified on legal databases (iii) Increased number of downloads from the UNCITRAL website *Performance measures*: 2002-2003: 200,700 downloads from UNCITRAL website Estimate 2004-2005: 220,000 downloads from UNCITRAL website Target 2006-2007: 240,000 downloads from UNCITRAL website
(c) Improved coordination and cooperation among international organizations active in the field of international trade law	(c) Increased number of joint activities that incorporate reference to UNCITRAL trade law standards *Performance measures*: 2002-2003: 63 joint activities Estimate 2004-2005: 70 joint activities Target 2006-2007: 75 joint activities

External factors

8.45 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Member States will commit to enact model laws and to report on such enactments;

(b) National correspondents will report on court and arbitral tribunal activities at the national level;

(c) International organizations will cooperate in the coordination process and organization of joint activities.

Outputs

8.46 During the biennium, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget):

(i) United Nations Commission on International Trade Law (UNCITRAL):

a. Substantive servicing of meetings: presentation of substantive reports prepared by the Division, responses to requests for clarification, procedural and substantive advice to the Chair and preparation of draft report (2); presentation of the annual report of the Commission (2);

b. Parliamentary documentation: *Official Records of the General Assembly* (2); reports by six intergovernmental working groups, substantive reports requested by the Commission, substantive recurrent reports and substantive conference room papers (50);

(ii) UNCITRAL Working Groups I-VI:

a. Substantive servicing of meetings: presentation of substantive reports prepared by the Division, responses to requests for clarification, procedural and substantive advice to the Chair and preparation of draft report (24);

b. Parliamentary documentation: reports prepared in response to the request of the Working Group and substantive conference room papers (216);

(iii) Ad hoc expert groups: discussion of draft reports and statutory texts prepared by the Division for submission to the Commission and its working groups (12);

(b) Other substantive activities (regular budget):

(i) Recurrent publications: *Yearbook of the United Nations Commission on International Trade Law*, volumes XXXIV, 2003, XXXV, 2004, XXXVI, 2005, and XXXVII, 2006;

(ii) Non-recurrent publications: booklet on a consolidated text of the *UNCITRAL Legislative Guide and Model Legislative Provisions on Privately Financed Infrastructure Projects*; booklet on a revised *UNCITRAL Model Law on International Commercial Arbitration, with Guide to Enactment*; booklet on a United Nations Convention on the Carriage of Goods (by sea), with commentary; booklet on the *Revised UNCITRAL Arbitration Rules*; booklet on the *UNCITRAL Legislative Guide on Secured Transactions*; booklet on the *United Nations Convention on the Use of Electronic Communications in International Contracts*, with official commentary;

(iii) Exhibits, guided tours, lectures: lectures to groups of practitioners, academics and law students in Vienna and elsewhere as part of programmes organized by other professional, academic, non-governmental or intergovernmental organizations;

(iv) Special events: participation as co-organizers and moderators in the annual "Willem C. Vis International Commercial Arbitration Moot" in Vienna in 2006 and 2007;

(v) Technical material: maintenance of a searchable Internet database of court and arbitral decisions collected under the CLOUT system; maintenance of the system for collecting court and arbitral decisions on Commission texts; publication of abstracts of decisions and monitoring developments and trends; acquisition for and servicing of the UNCITRAL Law Library; maintenance of the UNCITRAL website;

(c) Technical cooperation (extrabudgetary). Advisory services: briefing missions, seminars, law reform assessments, assistance with drafting of national legislation based on UNCITRAL texts and advice on the use of non-legislative Commission texts;

Table 8.20 **Resource requirements: subprogramme 5**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	4 568.0	4 992.6	21	21
Non-post	766.7	704.3	—	—
Subtotal	**5 334.7**	**5 696.9**	**21**	**21**
Extrabudgetary	167.0	167.0	—	—
Total	**5 501.7**	**5 863.9**	**21**	**21**

8.47 The amount of $5,696,900 provides for the continuation of 21 posts and various non-post items. The increase in post requirements reflects the delayed impact of 3 new posts (1 D-1, 1 P-5 and 1 P-2) approved in 2004-2005. The decrease in non-post resources relates to the reduced number of days allocated to an expert group meeting from 5 to 3 in the International Trade Law Division.

Subprogramme 6
Custody, registration and publication of treaties

Resource requirements (before recosting): $6,727,500

8.48 The subprogramme will be implemented by the Treaty Section in compliance with the requirements of Article 102 of the Charter of the United Nations and the depositary responsibilities of the Secretary-General with the goal of promoting the international rule of law.

Table 8.21 **Objectives for the biennium, expected accomplishments and indicators of achievement**

Objective of the Organization: To facilitate wider awareness of the international treaties concluded under the auspices of the United Nations.

Expected accomplishments of the Secretariat	**Indicators of achievement**
(a) Improved access to international treaties deposited with the Secretary-General, including information on their status, and to treaties registered with the Secretariat	(a) (i) Timely processing, registration and publication of international treaties deposited with the Secretary-General *Performance measures*: 2002-2003: 1 day Estimate 2004-2005: 1 day Target 2006-2007: 1 day

	(ii) Number of page views on the Treaty Section website *Performance measures*: 2002-2003: 130,000 page views per month Estimate 2004-2005: 120,000 page views per month Target 2006-2007: 150,000 page views per month
(b) Promotion of broader State participation in the multilateral treaty framework	(b) Number of additional treaty actions submitted by parties *Performance measures*: 2002-2003: 1,654 instruments Estimate 2004-2005: 3,000 instruments Target 2006-2007: 3,000 instruments
(c) Enhanced familiarity with and understanding by Member States of the technical and legal aspects of participating in the multilateral treaty framework and registering treaties with the Secretariat	(c) Increased number of treaty actions in the proper format *Performance measures*: 2002-2003: 25 percentage of incorrect submissions Estimate 2004-2005: 10 percentage of incorrect submissions Target 2006-2007: 5 percentage of incorrect submissions
(d) Increased respect for the international treaty framework and the advancement of the international rule of law	(d) Increased percentage of users expressing satisfaction with the services provided by the Treaty Section, including electronic services *Performance measures*: 2002-2003: 60 per cent Estimate 2004-2005: 80 per cent Target 2006-2007: 100 per cent

External factors

8.49 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Member States request legal and technical assistance before: (i) concluding treaties, in particular with reference to final clauses of treaties; and (ii) submitting treaties for registration, thus avoiding delays and potential problems;

(b) Member States increasingly provide material in electronic format to facilitate registration and publication and provide courtesy translations for treaties submitted in languages other than United Nations official languages.

Outputs

8.50 During the biennium 2006-2007, the following final outputs will be delivered:

(a) Other substantive activities (regular budget):

(i) Recurrent publications: bilingual issues (English/French) of the monthly *Statement of Treaties and International Agreements Registered or Filed and Recorded with the Secretariat* (ST/LEG/SER.A...); *Multilateral Treaties Deposited with the Secretary-General*, status as at 31 December 2005 (ST/LEG/SER.E/24) and status as at 31 December 2006 (ST/LEG/SER.E/25); preparation of two internally compiled and typeset volumes of the United Nations *Treaty Series* Cumulative Index in conjunction with the United Nations *Treaty Series*; publication of the United Nations *Treaty Series*;

(ii) Non-recurrent publications: *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties*; *Treaty Event Annual Focus Book*;

(iii) Technical material: Cumulative Index produced automatically from the new database; addition of editorial material (Article 102 of the Charter); updated information on treaties through the electronic media, including the Internet (Article 102 of the Charter); legal technical assistance web page and the interdepartmental and inter-agency directory of legal technical assistance and its links to other web pages; maintenance, on a daily basis, of a comprehensive database of all depositary actions; CD-ROM version of the United Nations *Treaty Series* Cumulative Index; printed volumes of the United Nations *Treaty Series* for dissemination on the electronic medium, including on the Internet; publication of the United Nations *Treaty Series* internally; *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties*; United Nations *Treaty Series* in CD-ROM format; updated *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties* in electronic form, including the Internet;

(iv) Promotion of legal instruments: custody of over 500 multilateral treaties and related instruments for which the Secretary-General performs depositary functions in accordance with relevant final clauses; depositary notifications concerning multilateral treaties deposited with the Secretary-General; establishment of certified true copies of multilateral treaties for Governments and intergovernmental organizations; papers and other material for delivery at public gatherings (general legal advice and services); notifications to Member States and/or participating Governments and international organizations of approximately 3,600 formalities for the biennium consisting of approximately 2,700 actions (signatures, ratifications, accessions, successions, acceptances); information on the status of multilateral treaties of international organizations, Governments, the Secretariat, United Nations bodies and other entities; information on the status of registered instruments to Member States, intergovernmental organizations, the Secretariat, United Nations bodies and other entities (Article 102 of the Charter); legal advice on all aspects of treaty law and depositary, registration and publication practice to Governments, intergovernmental organizations, units of the Secretariat and other entities; rectification of instruments as required; registration and

processing of some 2,000 documents, including legal analysis of new treaties and international agreements; subsequent actions; updated *Treaty Handbook*; update of the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties*;

(b) Technical cooperation (regular budget/extrabudgetary):

(i) Advisory services: provision of legal advice on all aspects of treaty law and depositary, registration and publication practice to Governments, intergovernmental organizations, units of the Secretariat and other entities;

(ii) Training courses, seminars and workshops: training seminars (at Headquarters and in regions) on depositary, registration and publication practice organized for permanent missions and legal advisers from foreign ministries and from United Nations and other related organizations.

Table 8.22 **Resource requirements: subprogramme 6**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2004-2005*	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	5 562.0	5 566.5	29	29
Non-post	1 319.9	1 161.0	—	—
Total	**6 881.9**	**6 727.5**	**29**	**29**

8.51 The amount of $6,727,500 provides resources for the continuation of 29 posts, reflecting the upward reclassification of one P-3 level post to P-4 for a Legal Officer to ensure adequate supervisory capabilities in the legal area, partially offset by a downward reclassification of one P-3 level post to P-2 for a Proofreader. The decrease in non-post resources is mainly attributable to the continued reduction of the backlog in the Treaty Section.

C. Programme support

Resource requirements (before recosting): $1,911,900

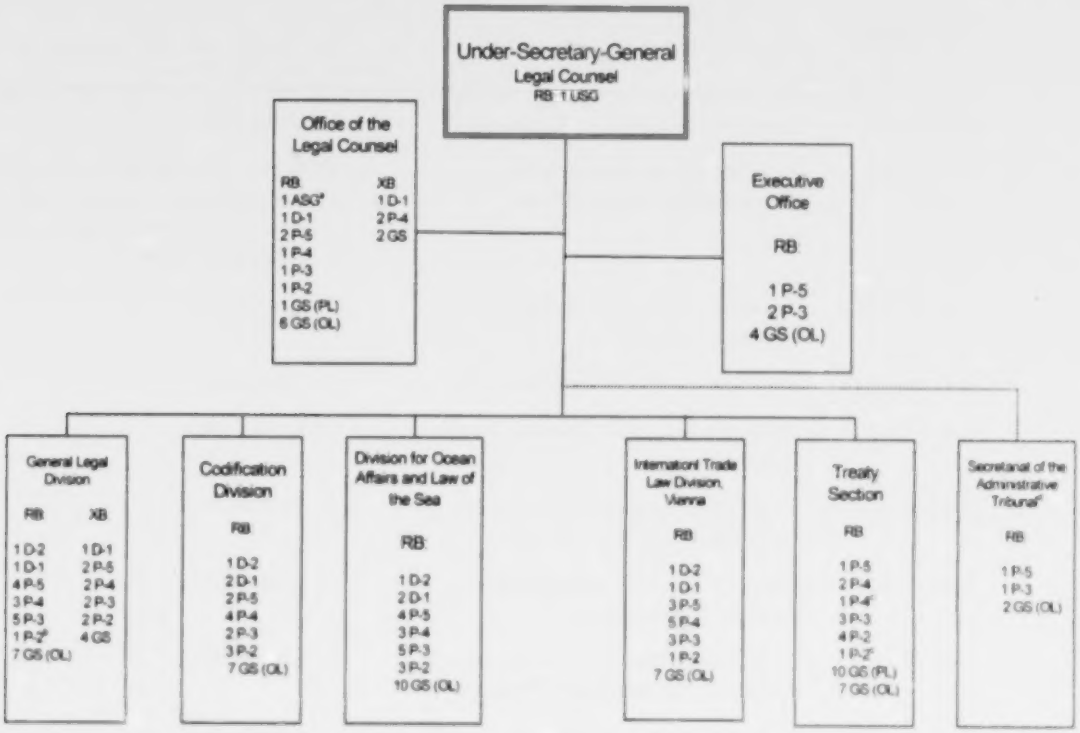
8.52 The Executive Office provides services to the Office of Legal Affairs in connection with personnel, budgetary and financial administration, resource planning and use of common services, together with administrative support for policymaking organs and other international meetings, as required.

Table 8.23 **Resource requirements: Programme Support**

Category	*Resources (thousands of United States dollars)*		*Posts*	
	2004-2005	*2006-2007 (before recosting)*	*2004-2005*	*2006-2007*
Regular budget				
Post	1 364.1	1 364.1	7	7
Non-post	333.1	547.8	—	—
Total	**1 697.2**	**1 911.9**	**7**	**7**

8.53 The amount of $1,911,900 provides for seven existing posts, other staff costs and various non-post items. The increase in non-post resources ($214,700) relates mainly to additional resources to cover the Office's share of centrally provided data-processing infrastructure support and services, as well as supplies and materials.

Office of Legal Affairs
Proposed organizational structure and post distribution for the biennium 2006-200



Abbreviations: RB, Regular budget; XB, extrabudgetary; GS (PL), General Service, Principal level; GS (OL), General Service (Other level).

[a] Also Deputy to the Under-Secretary-General.

[b] New post.

[c] Reclassification.

[d] In substantive matters, the secretariat (Executive Secretary) is exclusively responsible to the Administrative Tribunal.

Annex

Outputs produced in 2004-2005 not to be carried out in the biennium 2006-2007

Legal affairs

A/58/6, paragraph	*Output*	*Quantity*	*Reason for discontinuation*
8.39 (b) (ii)	Study on the Crime of Aggression	1	Completed
8.39 (b) (iv)	Website: Rome Statute of the International Criminal Court	1	Services to the secretariat of the International Criminal Court are no longer provided by the United Nations Secretariat
8.43 (b) (ii)	Baselines: national legislation with illustrative maps	1	Completed
8.43 (b) (ii)	Maritime boundary agreements	1	Completed
8.47 (b) (ii)	*Revised UNCITRAL Model Law on Arbitration*	1	Completed
8.47 (b) (ii)	*UNCITRAL Legislative Guide on Insolvency Law*	1	Completed
8.47 (b) (ii)	*UNCITRAL Legislative Guide on Secured Transactions*	1	Completed
8.47 (b) (ii)	*UNCITRAL Model Law on Privately Financed Infrastructure Projects*	1	Completed
8.47 (b) (ii)	*United Nations Convention on Electronic Commerce with Guide to Enactment*	1	Completed
8.47 (b) (ii)	Conference on Uniform Law on International Sales (25th Anniversary of the United Nations Sales Convention, Vienna 2005)	1	Completed
8.47 (c) (ii)	Seminars on Commission texts to promote the work of UNCITRAL	8	Completed
8.51 (a) (iv)	Preparation of the *Handbook of Final Clauses*	1	Completed
Total		**19**	